

NEW JERSEY MILITIA NEWSLETTER

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ALL PERSONS ARE BY NATURE FREE AND INDEPENDENT, AND HAVE CERTAIN NATURAL AND UNALIENABLE RIGHTS, AMONG WHICH ARE THOSE OF ENJOYING AND DEFENDING LIFE AND LIBERTY, OF ACQUIRING, POSSESSING, AND PROTECTING PROPERTY, AND OF PURSUING AND OBTAINING SAFETY AND HAPPINESS

--Article I, Section I, New Jersey State Constitution

LIGHT AT THE BACK OF THE TUNNEL

How The Courts Are Using The Second Amendment Against Us

The Declaration of Independence's and the Second Amendment share something in common; they both have preambles. The Second Amendment is the only amendment enumerated in the Bill of Rights that contains a stated purpose, "A well regulated Militia, being necessary to the security of a free State..." This is a preamble, an introduction, a preface, a "for this reason," a "whereas,"--not a "therefore,"

However, numerous court decisions declaring that the individual right to own firearms are not guaranteed by the Second Amendment is based on the preamble, not the Right itself, which reads, "...the right of the people to keep and bear arms, shall not be infringed." We don't have all the statistics in front of us, but it's a safe bet that the majority of decisions handed down by the courts restraining individual firearms ownership are based on the preamble, i.e., the introduction--and introductions are not law--introductions are not rights.

Cases in point: "...the claimant of Second Amendment protection must prove that his or her possession of the weapon was reasonably related to a well regulated militia." [Preamble]. United States v. Hale, (8th Cir. 1992).

"Considering this history, we cannot conclude that the Second Amendment protects the individual possession of military weapons. [Preamble] The rule emerging from Miller is that, absent a showing that the possession of certain weapons has "some reasonable relationship to the preservation or efficiency of a well regulated militia," [Preamble] the Second Amendment does not guarantee the right to possess the weapon." [based on the preamble]. United States v. Hale, (8th Cir. 1992).

"Since the Second Amendment right "to keep and bear arms" applies to the right of the

state to maintain a militia, [preamble] and not to the individual's right to bear arms, [court places the preamble above the right] there can be no serious claim to any express constitutional right of an individual to possess a firearm." [Based on the preamble] Stevens v. United States, (U.S. Court of Appeals, 6th Circuit).

And in the well-known United States v. Miller, the court said, "In the absence of any evidence tending to show that possession or use of a "shotgun having a barrel of less than eighteen inches in length" at this time has some reasonable relationship to the preservation of efficiency of a well regulated militia [preamble], we cannot say that the Second Amendment guarantees the right to keep and bear such an instrument. Certainly it is not within judicial notice that this weapon is any part of the ordinary military equipment [preamble] or that its use could contribute to the common defense." [Preamble].

"Thus, the clauses of the amendment are bound together. The right of an individual is dependent upon a role in rendering the militia effective." [Preamble given supremacy over the right]. State v. Skinner (1973).

Here the court maintains that the preamble and right are inseparable and of equal value, which is total nonsense, and, as we'll prove, runs contrary to the rules of interpretation. Have you ever heard of someone being indicted, convicted, and sent to prison for violating an introduction of a statute but not the statute itself? That's precisely what is happening because the courts are including the preamble in their decisions against gun owners.

There is only one legitimate reason for the courts to refer to a preamble when interpreting a law or right, and that's when the law or right in question is vague and the preamble is needed for clarification. However, a preamble is always secondary and can never supplant the right or law in question. A preamble is, "A preface, an

introduction or explanation of what is to follow: That clause at the head of acts of congress or other legislatures which explains the reasons why the act is made. Preambles are also frequently put in contracts, to explain the motives of the contracting parties. A preamble is said to be the key of a statute, to open the minds of the makers as to the mischief's which they are to be remedied, and the objects which are to be accomplished by the provisions of the statutes. It cannot amount, by implication, to enlarge [or "infringe"] what is expressly given." The Lectric Law Library's Lexicon.

Cases in point: "As showing the inducement to the acts, [the preamble] may have a decisive weight in a doubtful case. But where the body of the statute is distinct, it will prevail over a more restrictive preamble." Commentaries on the Written Laws and Their Interpretation, (1882), Joel P. Bishop.

"In the laws of England, in doubtful cases recourse may be had to the preamble; but where the terms of the enacting clause are clear and positive, the preamble cannot be resorted to." Fortunatus Dwaris, A General Treatise of Statutes, (2d ed, 1848).

"The body of the act may even be restrained by the preamble, when no inconsistency or contradiction results, ...where the intention of the Legislature is clearly expressed in the [body], the preamble shall not restrain it, although it be of much narrower import." A Treatise on the Rules Which Govern the Interpretation and of Statutory and Constitutional Law, Theodore Sedgwick (1857).

Our judicial system has handed down "inconsistency or contradiction results" on a regular basis concerning the Second Amendment because of their inclusion of the preamble in their decisions. Many times, if not always, allowing it to have preeminence over the right itself. Gun grabbers totally rely on the preamble to "restrain" the Second Amendment at every turn. If the preamble read; "In order to ensure a fresh supply of venison, the right of the people

to keep and bear arms shall not be infringed," the courts would argue that supermarkets always have a fresh supply of meat on hand and restrict firearms ownership on that basis. It's the courts illegal use of the preamble that's causing all the grief for gun owners because it's difficult, if not impossible, to misinterpret "...the right of the people to keep and bear arms shall not be infringed" That's why the judiciary avoid it and constantly addresses the preamble.

What's vague about "...the right of the people to keep and bear arms, shall not be infringed?" This statement is unequivocal and needs no further clarification. Therefore, there's absolutely no legal justification for the courts to refer to the preamble when deciding a case! And it's blatantly illegal for the courts to place an introduction to a right over the right itself. Laws covering the militia can be found in the Militia Act of May 8, 1792 and in 10 U.S.C. 311, but as it appears in the 2nd. Amendment, it's just an introduction and conveys no legal authority except for clarification. It's a mystery as to how the courts have perpetrated this fraud for so many years.

Justice Joseph Story wrote in Rules of Interpretation, "Where the words are plain and clear, and the sense distinct and perfect arising on them, there is generally no necessity to have recourse to other means of interpretation. It is only when there is some ambiguity or doubt arising from other sources that interpretation has its proper office." Story also said that a preamble "...is properly resorted to, where doubts or ambiguities arise upon the words of the enacted part, [but] "...never can be resorted to, to enlarge the powers confided to the general government. It can never amount, by implication, to an enlargement of any power expressly given. It can never be the source of any implied power..." Try telling that to our courts.

The "collective right" argument is another favorite of the gun grabbers. It first got its start, as Mike Brown often pointed out on his radio program, in a Kansas Supreme Court decision back in 1905. Corrupt judges, Prosecutors and legislators have been tripping over themselves to jump on that band wagon ever since. Again, the Kansas decision was based on the preamble. It should be pointed out that the Supreme Court rejected the collective right theory in the Miller case.

Any lawyer who is defending a Second Amendment issue should make it *explicitly* clear to the court that *any* reference to the preamble of the Second Amendment is unnecessary based on the clear language cited in the right itself. Explain the rules of interpretation quoted earlier (find as many quotes as you can) and force the courts to prove that there's something ambiguous in the wording of the Second

Amendment that requires reference to the preamble for clarification.

He should show that a preamble is just that--a preamble, an introduction, and a firearms issue cannot be judged by an introduction because it's *not the law!* This will limit the courts (if successful) and if any judge or Prosecutor claims that he doesn't understand the meaning of "...the right of the people to keep and bear arms shall not be infringed," will prove himself an idiot.

Explain to the court that judicial giants of the past, men of renown, revered for their judicial excellence of mind would *never* resort to a preamble--that's for judicial Homer Simpsons' --someone who has a poor command of the Queen's English. Set the stage to make the judge or Prosecutor look like a complete ass if they utter so much as a word in reference to the preamble. If they do--they are.

SOME STATES COMING TO THE RESCUE OF GUN MANUFACTURERS

Atlanta, Georgia is the latest city to file a law suit against gun manufactures, but all is not bleak. The AP reported that, "In Georgia, where the Democratic attorney general and governor were both endorsed by the NRA last year, a bill banning such lawsuits passed the House and appears to be headed to easy approval in the state Senate."

Louisiana is also considering a similar law. The Wyoming legislature "...is considering a law that would allow the attorney general to actually represent a gun maker if the gun maker is sued."

The article also reported that, "Rep. Bob Barr, R-Ga., said he is considering federal legislation that would restrict cities from filing such suits."

"How can manufacturers control what law enforcement can't? That's what we're being asked here, and it's *colossally unfair*," said Sturm Ruger's vice president Steve Sanetti.

These cities are going after the firearms industry in the same manner as the tobacco industry--with dollar signs in their eyes. There's only one problem, the gun companies don't have anywhere near the amount of cash as the tobacco giants. "Only \$376 million in guns were sold in 1997, according to the American Firearms Industry trade organization. That amounts to less than three days' worth of cigarette sales in the United States," reported the AP.

NRA vice president, Wayne LaPierre said, "What the mayors are going to find out is that a direct attack to bear arms is the toughest briar patch they can jump into."

NAACP MAY JOIN CITIES IN LAWSUITS AGAINST GUN MAKERS

"We represent a significant constituency that is disproportionately affected by gun violence. The time has come for us to look at the proliferation of handguns. I want to put forth some legal theories we've been present and ask the board for consideration [of filing a lawsuit against gun manufacturers]," said NAACP president, Kweisi Mfume.

NAACP Board Chairman, Julian Bond, commented, "Despite 90 years of fighting for and sometimes dying for justice and fair play, we know that all is not well in the land in which we live."

So now gun manufacturing has become a race issue. Perhaps if the NAACP knew the truth of the matter--that virtually all firearms restrictions and laws in the U.S. were racially motivated against black ownership of guns--perhaps they would think twice about their lawsuit.

J.J. Johnson, a well known black militia spokesman responded to the NAACP with the following:

You folks heard that the NAACP is thinking about joining in with cities and suing the gun makers. Here's how the gun manufacturers should respond:

We, the Gun Manufacturers of America, have received word of possible legal action against us by the NAACP for the proliferation of firearms in their communities. Their claim is that guns have caused death and destruction in their large constituency.

Therefore, in order to make the Black Community "feel more safe," and to avoid any lawsuit by the NAACP, the Gun Manufacturers of America have decided to no longer sell firearms to any Black Americans. We also encourage the Bureau of Alcohol Tobacco and firearms to review all 4473 forms for the "race" of the gun owner, and confiscating any firearm currently owned by any Black American (including law enforcement and military). After all, we wouldn't want the Black population hurting themselves with our products.

Let's see if that doesn't tick some people off."

J.J. Johnson

CLINTON WANTS TO CLOSE LOOPHOLES AT GUN SHOWS

We won't bore you with *all* the details of the Justice and Treasury Department's report on gun shows, suffice to say that tighter restrictions will be placed in the future if Clinton gets his way.

If new legislation is passed (HR 109) all sellers at gun shows, FFL holders and non-FFL, will have to report sales to the AFT.

If Patrick Henry thought taxation without representation was bad, he should see it *with* representation

—R. Rinkle

It will also require all gun shows to be reported to the AFT. (Some gun shows are not advertised).

The report mentioned that, "\$23.8 million for more than 120 new ATF agents to support firearms investigations, arrest violent criminals and gun traffickers, and crack down on illegal gun sales." Not to mention another \$5 million for 40 new federal prosecutors.

H.R. 109, if passed, will require anyone sponsoring a gun show to fill out a form 30 days in advance and submitted to the Treasury Secretary, be photographed and fingerprinted. The list of regulations goes on and on--and on.

At a recent antique gun show in Las Vegas collectors expressed fear that new legislation will put them out of business. "Why should someone like Bill Clinton tell me how to live my life?" asked collector Bill Holden.

"There's less crime in that room [where the gun show was being held] than there is in Disneyland. He's part of the belief that the Second Amendment is garbage," said the shows director, Wallace Beinfeld.

Also irate over Clinton's proposed restrictions on gun shows is National Association of Arms Shows (NAAS) President, Virgil Holden, who said, "The President calls for registration, red tape and restrictions on responsible businessmen and women who pride themselves on well-managed shows. This is not an attempt to cut crime but ban gun shows--the only place where millions of Americans meet, associate, and, by pursuing gun collecting, preserve American history."

"Zero tolerance for armed criminals can begin with the President directing his U.S. Attorneys to prosecute all criminals with guns or found attempting to get guns. The President does not advance crime-fighting by turning his guns toward law-abiding businessmen and women, licensing their livelihood out of existence and threatening them with prosecution. That's misdirected and just plain wrong."

JUDICIAL FOLLIES

James Arnett, 33, was sentenced to 51 years in prison for 10 counts of rape involving the 8-year-old daughter of his fiancée. During his sentencing, judge Melba Marsh quoted a verse of scripture from Matthew 18:5-6: "But whosoever shall offend one of these little ones which believe in me, it would be better for him that a millstone were hanged around his neck, and that he were drowned in the depth of the sea."

The Ohio First District Court of Appeals, no doubt believing that they are better at judging the actions of a child rapist than Jesus, reversed the 51-year sentence.

"By factoring in religion, the court is acting outside of Ohio's sentencing guidelines, as well as violating the offender's due process rights," said judge Mark Painter.

"I am absolutely appalled by this ruling. For 200 years in this country, judges have been evoking scripture in the courtroom. I think this reversal of sentence is total nonsense," said Hamilton County Prosecutor, Mike Allen.

What the Appeals Court failed to take into account is that the sentence Jesus would have imposed was not carried out. Instead of serving 51-years in prison, Arnett would've been served as food for crabs.

\$1000 REWARD

That's what is being offered by 3 Oregon High Schools to students who snitch on other students who use drugs or alcohol on school grounds.

"How many high school grudges will be settled by calling 1-800-BE-A-SNITCH? How strong will the lure of a \$1000 reward be to a student who has suffered from a broken romance--and wants revenge? For every honest report of drug abuse, how many anonymous calls will be made to settle a score?"

"Last week, the American Bar Association's Criminal Justice Section released a study reporting that illicit drug use in America had increased 7% from 1996 to 1997--while the number of people arrested on drug charges since 1992 has increased 73%. If America could arrest its way out of the drug problem, it would have happened by now," said national director for the Libertarian Party, Steve Dasbach.

"If Al Gore is correct, and drug abuse is a spiritual problem, we won't solve the problem by devilishly appealing to the worst in people--and offering cash awards to turn in your classmates," said Dasbach.

Drug use is a spiritual problem. In the book of Revelation 21:8, you'll see the word "sorcerer" (i.e., witchcraft). It's the Greek word where we get "pharmacy," (i.e., drugs).

It should be noted, however, that according to the Centers for Disease Control, National Center for Health Statistics and the Journal of American Medical Association, deaths due to adverse reactions to prescription drugs in 1996 was 106,000. (And remember, that's what they admit to. Those figures are low according to our next article). Deaths due to illicit drug use was 3,800 to 5,200. In other words, the odds of dying from a prescription drug from your doctor is about 24 times greater than an illicit drug. If Washington really wants to save lives they should wage their war on drugs at the local pharmacy.

DEADLY DOCTORS

by Edgar A. Suter, M.D.

As previously reported, the 1990 Harvard Medical Practice study suggests that each year 150,000 people die from the negligently of doctors.

Since there are about 300,000 doctors in the United States, that means that approximately one out of every two U.S. doctors negligently kills one patient every year.

Over a 30 year career, this could mean that the average doctor would kill 15 patients. Since there are about 200,000,000 guns in the United States, and about 30,000 people die annually from gun assaults, suicides, and accidents combined, each year an American has a one in 6,666 chance of killing someone.

This means that any doctor, any year, is 3,500 times more likely to kill someone than any gun.

Even if the raw numbers are astonishing, doctors kill five times as many people as guns!

Think about it; should we be turning in our guns, or doctors? Come to think about it, why is the A.M.A. pushing gun control?

Note: The article went on to say that deaths caused by doctors is roughly equivalent to a Boeing 747 crashing every day. Also, many deaths due to misprescribed or misuse go unreported, and in many cases, such as kidney failure due to a drug reaction, will be reported simply as kidney failure--but not what caused it.

TEXANS COMPLAIN ABOUT LOW FLYING LUFTWAFFE

A group of Texas ranchers have filed a law suit against German and U.S. pilots for their barnstorming tactics over their ranches.

"There have been reports of near-collisions with civilian aircraft, cowboys being thrown by spooked horses and people being bowled over by the powerful down drafts the planes create at low altitudes," reported the AP.

The Luftwaffe also responded in court by claiming they have "diplomatic immunity." ("Diplomatic immunity!?" "This is crazy. What are we supposed to do? Let a foreign power operate here illegally?," asked Kaare Remme, one of the plaintiffs.

The situation could go from bad to worse. The Air Force want to conduct "Realistic Bomber Training Initiative" training exercises. This would allow B-1 and B-52 bombers to fly as low as 300 feet over the ranchers.

DEAR EDITOR

(A Satire)

I am gratified to read in this morning's paper [Arizona Republic] that someone has finally called attention to an urgent situation which I have known about for a long time: annually 334,000 victims of savage dog bites, most frequently children, average age 15, are taken to the nation's emergency rooms. As the article states: "That's more ER visits than injuries from skateboards, baby walkers and in-line skates combined." Total annual cost of ER dog bites: \$102.4 million. Twenty or more people are killed annually by dogs, almost all of them children.

Because these dogs are so readily obtainable on the streets of our nation, I implore all your readers to immediately deluge their Congressmen with letters, phone calls, faxes and telegrams to support the federal "Save the Widdle Childwen Fwom the Vicious Dog-Bite Act of 1998," which would require the following: mandatory muzzles fitted with muzzle-locks to be kept at all times on all dogs, licensing and paw-printing of all dogs, fingerprinting and house-monitoring of dog owners, including mandatory, federally-monitored safe storage of dogs and an immediate \$1,000 tax on all dog food. This Act is sponsored by Canine Control Incorporated, an organization dedicated to eliminating canine violence in America by the year 2000.

The Act also provides for the immediate banning of all "assault dogs," the definition of which term will constantly change according to the emotions of the board of C.C.I. "Saturday Night Special" dogs, such as Chihuahuas and other cheap, easily concealed ankle-biters, will also be banned. In addition, the Act bans all sharp canine teeth, all canine teeth longer than a federally-mandated length, all spiked collars and sharp canine toenails. It also mandates that all dogs be transferred only through federally licensed dog dealers, and provides for the changing of the BATF to the Bureau of Alcohol, Tobacco and Assault Dogs, or BATFAD.

I hope that the physicians' organizations who champion total hand-gun banning will rally behind this urgent cause to save our nation's children. Anyone who opposes this type of legislation obviously hates children. We need the Act desperately--after all, if it saves only one life, it is worth it. Not to mention the \$102.4 million dollars in ER charges!

My husband's face was horribly mauled at the age of four by a Pit Bull; today he is the poster child for C.C.I. Now, when he is not being used as a drooling doorstop or for first base, he is routinely wheeled out at charity fund-raising events at which he repeatedly mumbles, "Bad dogs! Bad dogs!"

We urgently need your help to get these vicious dogs off the streets now! Please help end canine violence in America! Send donations to: C.C.I., 1111 B.S.Avenue, N.W., Washington, D.C. 20024

Make checks out to me. Tina Terry.

ONE ANGRY DUDE, PART II

We received a letter from a federal prisoner who had just spent 42 days in solitary and had 40 days added to his sentence. Not wanting to stir up the wrath of prison officials by giving his name, we'll refer to him as "Mr. C."

Mr. C wrote an article to Loompanics Publications that covered plans and techniques on to build improvised weapons. O.K.--we'll admit--it's not the kind of stuff that will earn you "The Prisoner of the Month" award from the Warden, however, Mr. C pointed out that

"(1) writing about hypothetical crime doesn't constitute an 'attempt' to actually do what is written, (2) The BOP National Policy encourages inmates to creative writing and specifically provides for preparation of manuscripts without BOP approval (it's right there in the Code of Federal Regulations!) and (3) Sealed mail to news media publishers are not subject to inspection per another section of the CFRs."

His manuscript to Loompanics was opened and they hammered him. But this is where the story takes a strange twist--because of what was written in the article, he was charged with possession of a weapon! Here's what the prison report said:

VII. REASON FOR SANCTION OR ACTION TAKEN

"Possession of a Weapon in a penitentiary is prohibited by federal law. Experience has shown weapons are used in incidents of assaults and murders, and threatened the safety of staff and inmates and the orderly operation of the institution. Sanctions were imposed in an effort to impress on and hopefully deter you from such actions in the future. As punishment, I am imposing the sanctions of 30 days Disciplinary Segregation, disallow 40 days Good Conduct Time, and recommend Disciplinary Transfer, which is suspended pending 180 days clear conduct."

Mr. C did not possess a weapon--just a piece of paper describing a weapon.

We suppose that if Mr. C had written a murder mystery novel he would've been charged with murdering a fictional character. Talk about "thought crimes."

INSURANCE IMPOSED ON THE SECOND AMENDMENT

The State of Georgia has pending legislation that, if passed, would require any citizen possessing a handgun to obtain a \$1 million dollar insurance policy. Section 1, 16-11-135 reads: "Any person who owns a pistol or revolver in this state shall maintain a policy of liability insurance in the amount of \$1 million specifically covering any damages resulting from negligent or willful acts involving the use of such weapon while it is owned by such person. A person shall be deemed the owner of a pistol or revolver after the same is lost or stolen until such loss or thief is reported to the police or sheriff of the jurisdiction in which the owner resides."

"The Rape of Sacred Land"

Editor, The Bernardsville News

Thank you kindly for your Aug. 27, 1998, article which revealed that on my 70th birthday, Aug. 6, Bernards Township [Somerset County, NJ] introduced an ordinance to condemn my sacred property and to have a public hearing on Sept. 15 which is just two days before the

birthday of "the second greatest event in history," the U.S. Constitution.

Bernards Township has not informed me about that ordinance nor did they ever respond to my June 12 letter about this matter.

The right-of-way on Somerville Road is 33 feet wide which is very sufficient for hikers, bikers and motorists; thus I refuse to accept their demand. Though I was not the least bit interested in their mercenary offer I learned that at the rate which they paid off my two neighbors they should have offered me \$24,306 instead of \$6,000, not to mention the fact that my neighbors' properties are barren, swampy and do not contain any gorgeous expensive sugar maple trees.

Several years ago Bernards Township illegally confiscated and raped a large piece of my sacred land. I insisted upon a trial by jury but they were totally contemptuous and ruthless and when I was away on vacation those Nazis raped my land.

My neighbors described that national socialist operation and how the Bernards Township police protected the rapers instead of me-the-people, supposedly their boss. They needlessly destroyed over 30 large sugar maple trees which were almost large enough to tap. As evidence I left one of the stumps on which I have placed the U.S. Flag, The U.S. Constitution.

I have since replanted sugar maple trees in that raped area and have put my fences and Liberty Sign back where they were. I have put up orange ribbons to mark where they raped all of those gorgeous trees. I have put another U.S. Flag on a large stone monument which marks the spot where they raped a gorgeous 100 foot tall tulip tree. I have many pictures as evidence which are hardly needed because of all the evidence which is so plainly visible there today.

I have been extremely patient in these matters. If a jury should unanimously rule that I must relinquish some of my sacred land I shall abide by that decision. However, in light of what happened before, if someone other than a jury tries to confiscate some of my sacred property--the lifeblood of America--I shall have no choice but to obey Article I of our New Jersey Constitution and exercise that "Right of Privilege from God" which Clinton and Reno did not obey at Waco.

Irwin L. Richardt
Sons of Liberty Farm
Liberty Corner, NJ

"FEDERALIZATION OF CRIMINAL LAW"

That's the title of report of a 16 member blue ribbon panel sponsored by the American Bar Association and headed by former Attorney General Edwin Meese. The study, which took 2 years to complete, basically reveals what most of us already know: Crime legislation at the federal level is unnecessary and in some cases actually undermines the fight against crime.

"Crime legislation [on the federal level] is popular. Most of the time it's just feel-good legislation because existing state and local laws are sufficient to address the targeted problem," said Meese. The report showed that 95% of all prosecutions nationwide is conducted at the state level. Over the long run the money spent at the federal level on laws that are never enforced could be better spent at the state level where existing legislation is already in place.

"Sampling of the latest available statistics demonstrate that several recently enacted federal statutes, championed by many because they would have claimed impact on crime, have hardly been used at all," said the report.

The report also revealed that 40% of federal legislation since the Civil War has occurred after 1970.

"The expanding coverage of federal criminal law, much of it enacted in the absence of a demonstrated and distinctive federal justification, is moving the nation rapidly toward two broadly overlapping, parallel and essentially redundant sets of criminal prohibitions. Such a system has little to commend it and much to condemn it," said the report.

Recent laws specially cited include drive-by shootings, interstate domestic violence, failure to report child abuse and murder by escaped prisoners.

AMERICAN HERO DIES

U.S. Marine Corps sniper, Carlos Hathcock, died in Virginia Beach, Virginia in late February.

Hathcock's exploits in Vietnam are legendary. He will be missed. If you'd care to send a message to the family you can reach them at:

Mrs. Carlos Hathcock
600 Raff Road
Virginia Beach, VA 23541

More Privacy for the FBI

Worried that criminals can too easily eavesdrop on its agents' conversations, the FBI will replace 12,000 of its 2-way radios over the next four years.

The new Astro Seneca digital radios will be built by Motorola and Harris Corp. Motorola will build the Astro receiver. Harris will provide the Seneca processor with Type 1 encryption, which is used to pass top-secret information.

In addition to securing voice communications, the radios will enable the FBI to exchange computer files and digital fingerprints with local and state police, other federal security agencies, and national police in foreign countries.

Privacy does not come cheap. The first 500 radios will cost taxpayers more than \$8,000 each.

-Popular Mechanics, August, 1998, p. 25

Traitors Among Us?

A nation can survive its fools and even the ambitious. But it cannot survive treason from within. An enemy at the gates is less formidable, for he is known and he carries his banners openly. But the traitor moves among those within the gate freely, his sly whispers rustling through all the alleys, heard in the very halls of government itself. For the traitor appears not traitor! He speaks in the accents familiar to his victims and he wears their face and their garments and he appeals to the baseness that lies deep in the hearts of all men. He rots the soul of a nation. He works secretly and unknown in the night to undermine the pillars of a city. He infects the body politic so that it can no longer resist. A murderer is less to be feared.

--Cicero, 42 BC

JUST ANOTHER CONSPIRACY

If you take the words:

"President Clinton of the USA"

The letters can be rearranged to read:

"To copulate he finds interns" with no letters left over and each letter only used once.

THE CHICAGO RALLY

The Chicago Rally for Citizen Rights plan to protest Chicago Mayor Richard Daley's \$12 million lawsuit--not against gun manufacturers, that's another story, but against gun stores!

The rally is secluded for March 27th, 11:00 am at the Daley Center, 50 West St., Chicago. if you're in the area try to attend.

CITIZENS' SELF-DEFENCE ACT OF 1999

H.R. 247

1st Session

Sec. 2 FINDINGS:

(1) Police cannot protect, and are not legally liable for failing to protect, individual citizens, as evidenced by the following:

(A) The courts have consistently ruled that the police don't have an obligation to protect individuals, only the public in general. For example, in Warren v. District of Columbia Metropolitan Police Department, 444 A.2d 1 (D.C. App.1981), the court stated: "[C]ourts have without exception concluded that when a municipality or other governmental entity undertakes to furnish police services, it assumes a duty only to the public at large and not to individual members of the community."

(B) Former Florida Attorney General Jim Smith told Florida legislators that police responded to only 200,000 of 700,000 calls for help in Dade County authorities.

(C) The United States Department of Justice found that, in 1989, there were 168,881 crimes of violence for which police had not responded within 1 hour.

(D) Currently, there are about 150,000 police officers on duty at any one time.

(2) Citizens frequently must use firearms to defend themselves, as evidenced by the following:

(A) Every year, more than 2,400,000 people in the United States use a gun to defend themselves against criminals--or more than 6,500 people a day. This means that, each year, firearms are used 60 times more often to protect the lives of honest citizens than to take lives.

(B) Of the 2,400,000 self-defense cases, more than 192,000 are by women defending themselves against sexual abuse.

(C) Of the 2,400,000 times citizens use their guns to defend themselves every year, 92 percent merely brandish their gun or fire a warning shot to scare off their attackers. Less than 8 percent of the time, does a citizen kill or wound his or her attacker.

(3) Law-abiding citizens, seeking only to provide for their families' defense, are routinely prosecuted for brandishing using a firearm in self-defense. For example:

(A) In 1986, Don Bennett of Oak Parks, Illinois, was shot at by 2 men who had just stole \$1,200 in cash and jewelry from his suburban Chicago service station. The police arrested Bennett for violating Oak Park's handgun ban. The police never caught the actual criminals.

(B) Ronald Biggs, a resident of Goldsboro, North Carolina, was arrested for shooting an intruder in 1990. Four men broke into Biggs' residence one night, ransacked the home and then assaulted him with a baseball bat. When Biggs attempted to escape through the back door, the group chased him and Biggs turned and shot one of the assailants in the stomach. Biggs was arrested and charged with assault with a deadly weapon--a felony. His assailants were charged with misdemeanors.

(C) Don Campbell of Port Huron, Michigan, was arrested, jailed, and criminally charged after he shot a criminal assailant and planned to use him to testify against Campbell for felonious use of a firearm. Only after intense community pressure did the prosecutor finally drop the charges.

(4) The courts have granted immunity from prosecution to police officers who use firearms in the line of duty. Similarly, law-abiding citizens who use firearms to protect themselves, their families, and their homes against violent felons should not be subject the lawsuits by the violent felons who sought to victimize them.

Sec.3. RIGHT TO OBTAIN FIREARMS FOR SECURITY, AND TO USE FIREARMS IN DEFENSE OF SELF, FAMILY, OR HOME; ENFORCEMENT.

(a) REAFFIRMATION OF RIGHT--A person not prohibited from receiving a firearm by Section 922(g) of title 18, United States Code, shall have the right to obtain firearms for security, and to use firearms--

[Editor's note: This presents a serious problem for those who fall outside Sec. 922. How do those who are not allowed to possess

firearms because of a felony conviction, and more recently a misdemeanor, supposed to legally protect themselves? We believe that once a person has 'paid his debt to society' all rights should be restored, such as voting and possessing firearms and not be treated as sub-citizens for the rest of their lives].

(1) in defense of self and family against a reasonably perceived threat on imminent and unlawful infliction of serious bodily injury;

(2) in defense of self and family in the course of the commission by another person of a violent felony against the person's family; and

(3) in defense of the person's home in the course of the commission of a felony by another person.

(b) FIREARMS DEFINED-- As used in subsection (a), the term 'firearm' means--

(1) a shotgun (as defined in section 921 (a)(5) of title 18, United States Code);

(2) a rifle (as defined in section 921 (1)(5) of title 18, United States Code);

(3) a handgun (as defined in section 10 of Public Law 99-408).

(c) ENFORCEMENT OF RIGHT--

(1) IN GENERAL--A person whose right under subsection (a) is violated in any manner may bring an action in any United States district court against the United States, any State, or any person for damages, injunctive relief, and such other relief as the court deems appropriate.

(2) AUTHORITY TO AWARD A REASONABLE ATTORNEY'S FEE--In an action brought under paragraph (1), the court, in its discretion, may allow the prevailing plaintiff a reasonable attorney's fee as part of the costs.

(3) STATUTE OF LIMITATIONS-- An action may not be brought under paragraph (1) after the 5-year period that begins with the date the violation described in paragraph (1) is discovered.

This bill was introduced by Representative Bartlett of Maryland.

SLIDE TOWARD SURVEILLANCE SOCIETY

Christian Science Monitor

In Arizona, some supermarkets now require a fingerprint before they will cash a customer's

check. In Japan, companies use eye scans to ensure security. New York State keeps the genetic records of all convicts on file to aid crime detection.

Around the world, new technology is allowing corporations and governments unprecedented ability to fight fraud, detect scams, and enhance security.

But the technology that tracks suspected terrorists and tells marketers that people who drive old Volvos are more likely to eat fat-free yogurt may also be creating a new "surveillance society."

As public and private agencies collect motor-vehicle date, medical records, even the fingerprints of millions of people--and sift it with microsecond efficiency--such data could eventually be pieced together to determine who gets a job, a loan, or a health-insurance policy.

Unless societies are vigilant, experts warn, the notion of living a private life, where some things are nobody's business but your own, will not survive the next century.

"1984 may have simply been too early a date," says Barry Steinhardt, associate director of the American Civil Liberties Union in New York, referring to George Orwell's seminal work. "We are now approaching a time when we will live in a surveillance society where all our movements and actions will be monitored."

To be sure, a few policy-makers and technologists are fighting to reverse these trends. But some high-tech fraud-fighters say the battle is already lost. "The days of privacy is over," says John Valentine, president of Infogline Corp. in Austin, Texas. "You can't even change your name without being found."

Technology is allowing Big Brother to thrive in his new digital incarnation. In the past five years, computers have gotten powerful and cheap enough--and software sophisticated enough--to collect and sift through millions of pieces of data to uncover subtle patterns of behavior. Because such data live on networks, thousands of pieces of such data can be cobbled together to create a highly accurate and intrusive

view of just above anyone, even if they avoid the lime light.

That may be good. Governments and corporations are sharing data to track criminals internationally and uncover insurance scams. But privacy experts worry the technology is so powerful and the information-sharing so endemic that government and companies won't be able to resist broader spying.

"Twenty-five years ago, the fear was the big dossier, the big file, the big database," says James Dempsey, senior staff counsel with the Center for Democracy and technology, a private advocacy group in Washington. Now, "...all these computers are linked together...Big Brother and his twin, Big Corporation, have joined forces."

Note: A good example of this came to light when Image Data, a company in Nashua, N.H., collected 22 million driver's licenses photos from Florida, Colorado and South Carolina, for the purpose, they said, to halt the use of fake or false I.D.s, credit cards scams, etc. It was later learned that Data Image had received \$1.5 million in federal funds from the Secret Service.

Another example of this unholy marriage between Big Brother and Big Business is the government wanting banks to institute the "Know Your Customer" policy, requiring banks to notify the IRS of any unusual money transactions--thus making bank employees federal employees of the IRS--whether they want to be or not. (This bill was loosing steam as we went to press.)

This raises an interesting question concerning the 13th Amendment which says "Neither slavery nor involuntary servitude, except as a punishment for a crime..."

This Amendment will continue to diminish in the future as Washington legislates new laws requiring business to do their "involuntary" snooping (or whatever) on American citizens. There will be a marriage between Big Brother and Big Business--but it'll be a shotgun wedding--and guess who'll be holding the shotgun?

"IN THE BEGINNING OF CHANGE, THE PATRIOT IS A SCARCE MAN; BRAVE, HATED AND SCORNE. WHEN HIS CAUSE SUCCEEDS, HOWEVER, THE TIMID JOIN HIM, FOR THEN IT COSTS NOTHING TO BE A PATRIOT"

—Mark Twain

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